

From: [Frey, Rebecca](#)
To: [Berkoff, Michael](#)
Cc: [Wood, Nicole](#); [Carlson, Janet](#); [Furey, Eileen](#); [Saric, James](#)
Subject: Re: OU1 question about state cost share - answer
Date: Friday, February 08, 2013 12:53:48 PM

Michael,

You are correct. Just to make sure, I took a few minutes to check with some other folks to see what we've done at other sites that used bankruptcy money to carry out a remedial action. As I suspected, they told me that bankruptcy settlement money is considered the same as PRP money, so we would not need the state to chip in any state cost share. If we conduct the remedial action (and don't get a PRP to do the work), then the state would need to do the O&M work. If a PRP is doing the work, then there is no state cost share and no state-financed O&M.

- Becky

From: Nicole Wood/R5/USEPA/US

To: Michael Berkoff/R5/USEPA/US@EPA,

Cc: JAMES SARIC/R5/USEPA/US@EPA, Janet Carlson/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA

Date: 02/07/2013 04:01 PM

Subject: Re: Fw: OU1

Michael,

I don't have the time to answer your questions. I am tied up on other matters. Can I get back to you in a few weeks?

Nicole

Nicole Wood-Chi

Associate Regional Counsel

U.S. EPA Region 5

77 W. Jackson Blvd. C-14J

Chicago, IL 60604

312-886-0664

From: Michael Berkoff/R5/USEPA/US

To: Nicole Wood/R5/USEPA/US@EPA, Janet Carlson/R5/USEPA/US@EPA,

Cc: JAMES SARIC/R5/USEPA/US@EPA, REBECCA FREY/R5/USEPA/US@EPA

Date: 02/07/2013 03:38 PM

Subject: Fw: OU1

Nicole,

Correct me if I am wrong, but provided that the cost of the remedy can be covered by the money in the trust, MDEQ will not be contributing a 10% cost share. They will be covering O&M with the money they received in the bankruptcy. If a PRP is doing the work, then this does not apply. Do I have this right? What would you recommend that I say to Paul?

FYI, we are projecting an RA start date in 2015.

Michael

Michael Berkoff

Remedial Project Manager

U.S. EPA Region 5

Superfund Division

Remedial Response Section #3

Phone:(312) 353-8983

Fax:(312) 582-5160

----- Forwarded by Michael Berkoff/R5/USEPA/US on 02/07/2013 02:41 PM -----

From: "Bucholtz, Paul (DEQ)" <BUCHOLTZP@michigan.gov>

To: Michael Berkoff/R5/USEPA/US@EPA,

Date: 02/07/2013 01:17 PM

Subject: OU1

Michael,

When EPA implements the RA at OU1, will they require a SOM 10% cost share? Or will this be fully paid for from settlement dollars.

If yes, what is your projected date for RA implementation so we can get the money in the pipe?

Paul Bucholtz

MDEQ-RRD Superfund Section

517-373-8174